

1 BILL NO. Z-84-05-14

2 ZONING MAP ORDINANCE NO. Z-

13-84

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. P-31.

5
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7 INDIANA:

8 SECTION 1. That the area described as follows is designated
9 a B-3-B (General Business) District under the terms of Chapter 33 of the Code
10 of the City of Fort Wayne, Indiana of 1974:

11 Lots 2, 3, 4 and 5 in Neuenschwander's Addition to the
12 City of Fort Wayne, according to the Plat thereof, recorded
13 in Plat Record 10, page 51, in the office of the Recorder
of said county, except the West 15 feet of Lot 2 conveyed
to the City of Fort Wayne by Document No. 73-10357

14 and the symbols of the City of Fort Wayne Zoning Map No. P-31, as established
15 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
16 are hereby changed accordingly.

17 SECTION 2. That this Ordinance shall be in full force and
18 effect from and after its passage and approval by the Mayor.

19
20 Janet G. Bradbury
COUNCILMEMBER

21
22 APPROVED AS TO FORM AND LEGALITY:

23 Bruce O. Boxberger
24 BRUCE O. BOXBERGER, CITY ATTORNEY
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Read the first time in full and on motion by Bradbury, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.

DATE: 5-15-84 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 6-12-84 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (ZONING MAP) ORDINANCE (RESOLUTION) NO: 3-13-84 on the 12th day of June, 1984,

ATTEST: (SEAL)
Sandra E. Kennedy Ray A. Ebert
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1984, at the hour of 11:30 o'clock A .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of June, 1984, at the hour of 4:00 o'clock P .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE Auto Glass Service

THIS IS TO BE FILED IN DUPLICATE

I/We Quality Glass Service, Incorporated
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an B1B District to a/an B3B District the property described as follows:

Lots 2,3,4, and 5 in Neuenschwander's Addition to the city of Fort Wayne,
according to the Plat thereof, recorded in Plat Record 10, page 51, int
the office of the Recorder of said county, except the West 15 feet of Lot 2
conveyed to the City of Fort Wayne by Documet No. 73-10357.

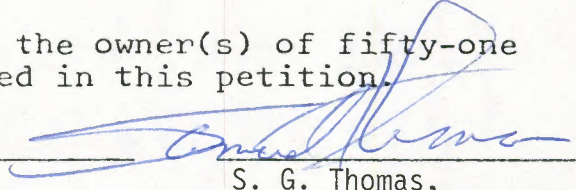
(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Marathon ~~Oil Refining~~
/Petroleum Company

Findlay, OH 45840


S. G. Thomas,
Real Estate Specialist

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Franklin D. Oyer
(Name)

64802 Ravine Drive, Goshen
(Address & Zip Code)

(219) 534-1541
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 15, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-05-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such ordinance on May 14, 1984;

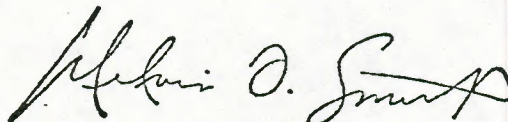
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1984.

Certified and signed this
22nd day of May 1984.



Melvin O. Smith
Secretary

BILL NO. Z-84-05-14

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. P-31

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN

Janet G. Bradbury

SAMUEL J. TALARICO, VICE CHAIRMAN

Samuel J. Talarico

CHARLES B. REDD

Charles B. Redd

MARK E. GIAQUINTA

JAMES S. STIER

John

CONCURRED IN 6-12-84
SANDR. E. KENNEDY, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 10673

FT. WAYNE, IND.,

17 April 1984

RECEIVED FROM

Quality Glass Serv. Inc. \$ 50.00

THE SUM OF

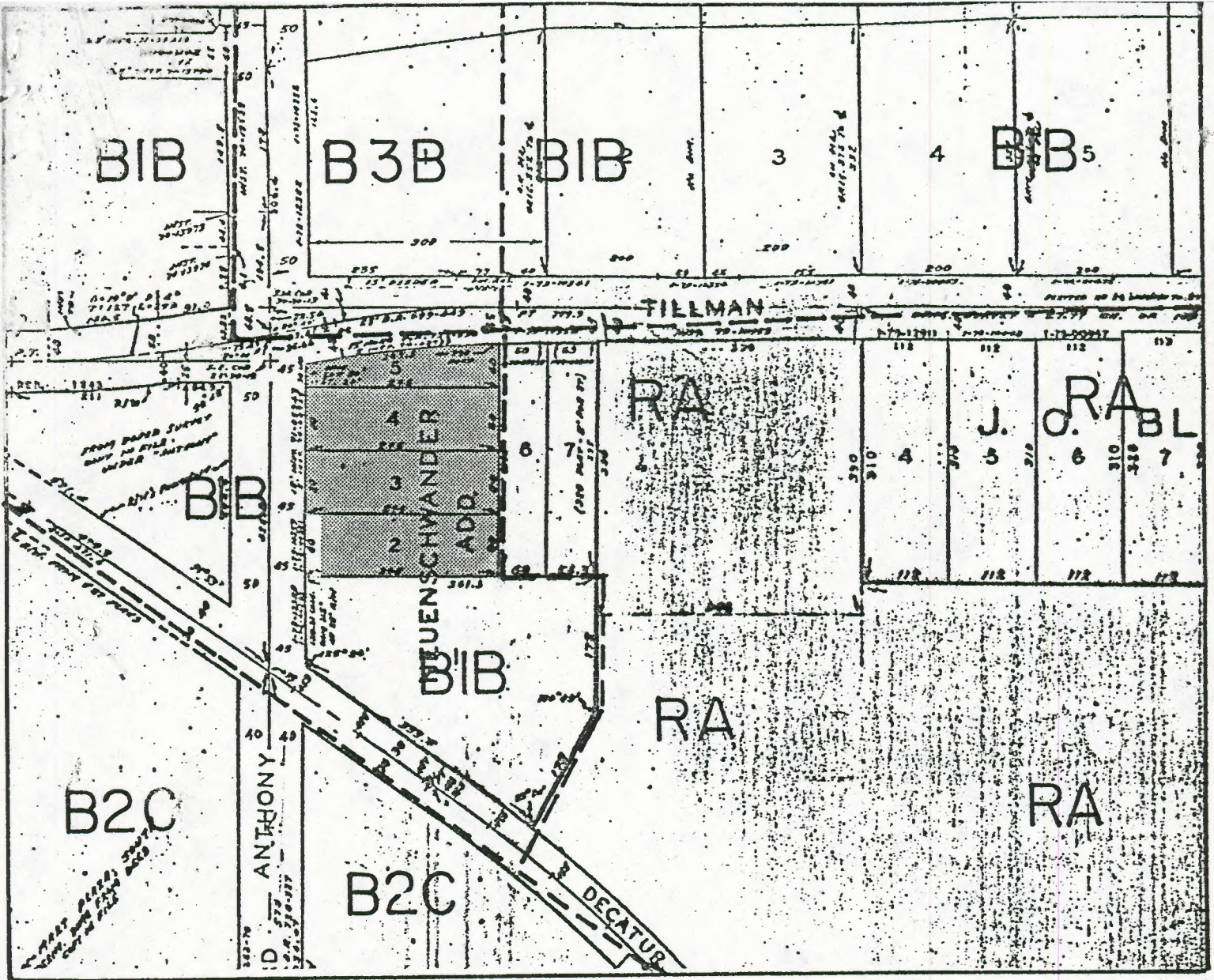
fifty 00/100


DOLLARS

ON ACCOUNT OF

reopening B-1-B to B-3-B
FASB

AUTHORIZED SIGNATURE



 A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM A B-I-B TO A B-3-B DISTRICT.

MAP NO. P-31

Z-84-05-14



4-18-84



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

22 May 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 21, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-84-05-14
2. From B-1-B to B-3-B
3. Intended Use: Auto Glass Service Store
4. Plan Commission Recommendation: DO PASS

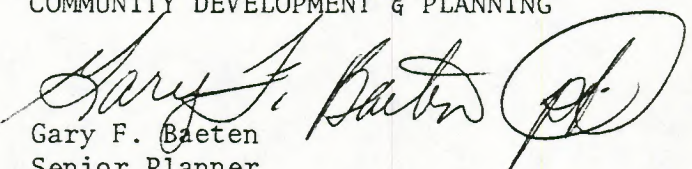
This ordinance received a DO PASS recommendation for the following reason:

REASON: The rezoning of this property will not be injurious to the public health, safety and welfare of the community, in addition this rezoning will allow the re-use of an abandoned service station.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

ORIGINAL

DIGEST SHEET

ORIGINALTITLE OF ORDINANCE Zoning Map AmendmentDEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P 3-8#05-14SYNOPSIS OF ORDINANCE Lots 2, 3, 4, & 5 in Neuenschwander's Addition, except the
West 15 feet of Lot 2.EFFECT OF PASSAGE Property is now zoned B-1-B - Limited Business. Property
will become B-3-B - General Business.EFFECT OF NON-PASSAGE Property will remain B-1-B - Limited Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____